



Eric Gonzalez  
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[INSERT NAME]  
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]  
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME: MARTIN, DAMON**

**MOS TAX: [REDACTED]**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

MOS MARTIN PLED GUILTY TO THE FOLLOWING DEPARTMENTAL DISCIPLINARY CHARGES:

1. MOS MARTIN, ASSIGNED TO THE 67TH PRECINCT, WHILE ON DUTY ON SEPTEMBER 3, 2004, AT A LOCATION KNOWN TO THIS DEPARTMENT, KINGS COUNTY, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT, TO WIT: MOS MARTIN FAILED TO SAFEGUARD A PRISONER KNOWN TO THIS DEPARTMENT, RESULTING IN THE LOSS OF SAID PRISONER.
2. MOS MARTIN ASSIGNED AS INDICATED IN SPEC.#1, WHILE ON DUTY, AT THE TIME, DATE AND PLACE INDICATED IN SPEC.#1, AFTER LOSING SAID PRISONER DID FAIL TO REPORT IMMEDIATELY TO THE PATROL SUPERVISOR AND THE PLATOON COMMANDER ANY UNUSUAL CRIME, OCCURRENCE OR CONDITION, AS REQUIRED.  
PENALTY: THIRTY-TWO (32) DAYS SUSPENSION.

**Disclosure # 2:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 01-07-10, AGAINST MOS MARTIN:  
ALLEGATION: MEMOBOOK-INCOMPLETE  
ACTION TAKEN: LETTER OF INSTRUCTION  
CLOSED: 7/30/11

**Disclosure # 3:**

MOS MARTIN WAS FOUND GUILTY AFTER DEPARTMENTAL TRIAL OF THE FOLLOWING ALLEGATIONS ARISING FROM AN INCIDENT OCCURRING IN THE KINGS COUNTY ON 10/4/08, ARISING FROM A CCRB INVESTIGATION:

1. DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT SAID SERGEANT DID ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT BY AUTHORIZING A POLICE OFFICER TO ISSUE A SUMMONS TO A PERSON KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL BASIS FOR SAID SUMMONS.
2. DID ABUSE HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT SAID SERGEANT CONDUCTED A STRIP SEARCH OF A PERSON KNOWN TO THE DEPARTMENT, BUT SAID SERGEANT FAILED FOLLOW

PROPER STRIP SEARCH PROCEDURES: TO WIT, RESPONDENT DID NOT RECEIVE AUTHORIZATION FROM THE DESK OFFICER TO CONDUCT SAID STRIP SEARCH, AND RESPONDENT DID NOT NOTIFY THE DESK OFFICER THAT SAID STRIP SEARCH WAS BEING CONDUCTED.

3. MADE INSUFFICIENT NOTATIONS IN HIS ACTIVITY LOG FOR HIS TOUR ON THAT DATE.

4. DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPT, IN THAT SAID SERGEANT DID ABUSE HIS AUTHORITY AS A MEMBER OF THE NYPD BY TRANSPORTING SAID PERSON KNOWN TO THE DEPARTMENT TO THE 73RD PRECINCT STATIONHOUSE, WITHOUT POLICE NECESSITY.

PENALTY: FORFEITURE OF 15 VACATION DAYS.

SEE ATTACHED CCRB CLOSING REPORT.

**Disclosure # 4:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 01-20-11, AGAINST MOS MARTIN:

ALLEGATION: MEMOBOOK INCOMPLETE

ACTION TAKEN: 'B' CD ISSUED

CLSOED: 10/24/11

**Disclosure # 5:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 12-6-13, AGAINST MOS MARTIN:

ALLEGATION: OTHER DEPARTMENT RULES (FAILURE TO MAKE PROPER NOTIFICATIONS ON THE SALE OF HIS FIREARM

ACTION TAKEN: A CD ISSUED

CASE CLOSED: 06/24/14

**Disclosure # 6:**

THE NYPD ENTERED A DISPOSITION OF MINOR PROCEDURAL VIOLATION, ARISING FROM 6-8-17, AGAINST MOS MARTIN FOR THE FOLLOWING ALLEGATIONS:

OTHER DEPT RULES/PROCEDURES VIOLATION -MINOR PROCEDURAL VIOLATION

MEMOBOOK INCOMPLETE/IMPROPER -MINOR PROCEDURAL VIOLATION

CLOSED: 5/29/18

**Disclosure # 7:**

THE NYPD ENTERED A DISPOSITION OF MINOR PROCEDURAL VIOLATION, ARISING FROM 5-17-16, AGAINST MOS MARTIN FOR THE FOLLOWING ALLEGATIONS:

MEMOBOOK INCOMPLETE/IMPROPER - MPV

CASE CLOSED: 08/07/17

**Disclosure # 8:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, DATED 9-11-18, AGAINST MOS MARTIN:

ALLEGATION : 1. INVOICE DISCREPANCY - LAB - CONTROLLED SUBSTANCE

CLOSED DATE : 2018-11-09

ACTION TAKEN : VERBAL OF INSTRUCTIONS

**Disclosure # 9 (PENDING):**

THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS, [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Disclosure # 10:**

MOS Martin is a named defendant in the civil actions:

- Rodney Watt v. City of NY, Et Al, 12CV0016, filed in the Eastern District of NY.
- Andre Beaton v. City of NY, Et Al, 12CV1303, filed in the Eastern District of NY.
- Fitzgerald Brown v. City of NY, Et Al, 13CV04946, filed in the Eastern District of NY.

**Disclosure # 11:**

In October and November of 2019, JHO Goldberg presided [REDACTED]  
[REDACTED] On January 8, 2020, Judge Jane Tully adopted the findings of fact and recommendation that JHO Goldberg issued [REDACTED]  
[REDACTED] JHO Goldberg stated [REDACTED] Sergeant [Martin's] [REDACTED]  
[REDACTED] testimony that he [REDACTED]  
[REDACTED]  
[REDACTED] is not credible".

**Indictment No. 357/2019 is currently pending.**

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:**

**Disclosure # 12:**

CCRB CASE: 200613930

Report Date: 10/19/2006

Incident Date: 10/18/2006

CCRB SUBSTANTIATED ALLEGATIONS:

1. Abuse - Premises entered and/or searched
2. Abuse - Search (of person) Substantiated (Charges) Not Guilty -

NYPD Disposition: Not guilty on both allegations:

**Disclosure # 13:**

CCRB CASE: 200616696

Report Date: 12/14/2006

Incident Date: 12/14/2006

CCRB SUBSTANTIATED ALLEGATION: Abuse - Question and/or stop

NYPD Disposition: No Disciplinary Action

**Disclosure # 14:**

CCRB CASE: 200814508

Report Date: 10/07/2008

Incident Date: 10/04/2008

CCRB SUBSTANTIATED ALLEGATIONS:

1. Abuse - Retaliatory arrest
2. Abuse - Stop
3. Abuse - Strip-searched
4. Abuse - Threat of force (verbal or physical)

NYPD Disposition: Guilty on allegations 1 and 3; no disciplinary action on allegations # 2 and # 4.

NYPD Penalty: Forfeiture of 15 vacation days.

**Disclosure # 15:**

CCRB CASE: 201004238

Report Date: 03/30/2010

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Disclosure # 16:**

CCRB CASE: 201804938

Report Date: 06/20/2018

Incident Date: 06/12/2018

CCRB SUBSTANTIATED ALLEGATION: Abuse - Search of Premises

**Disclosure # 17 (PENDING):**

CCRB CASE: 201901320

Report Date: 02/12/2019

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Disclosure # 18 (PENDING):**

CCRB CASE: 201910652

Report Date: 12/12/2019

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Eric Gonzalez  
District Attorney  
Kings County